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PATENT
ATTORNEY DOCKET NO. 31242-701.201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Elizabeth Moyer et al.)	Confirmation No. 2967
Serial No.: 09/393,590)	Art Unit: 1645
Filed: September 9, 1999)	Examiner: DEVI, S.J.N.
Title: STABLE LIQUID FORMULATIONS OF BOTULINUM TOXIN)	

SUPPLEMENTAL AMENDMENT

M/S Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Introductory Comments:

This Supplemental Amendment is being filed in response to the Office Action dated June 1, 2004. Prior to the extended due date of December 1, 2004, Applicants filed an Amendment in Response to the Office Action, dated December 1, 2004. After the Amendment was filed, Applicants were informed by the European Patent Office regarding Opposition Proceedings in the European Patent Office, including the issuance of a Preliminary Opinion, which is attached herein.

Applicants thereafter informed the Examiner of the status in the EPO Opposition Proceedings, and expressed their desire to harmonize the pending U.S. Application claims with the EPO Opposition Proceedings amendments that are considered to be filed in response to the Preliminary Opinion. Applicants, therefore, ask the Examiner to replace the prior amendments to the claims filed on December 1, 2004, and please reconsider the above-identified application as follows.

Appl. No. 10/066,004
Amendment dated October 18, 2004
Reply to Office Action of October 4, 2004

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks/Arguments begin on page 10 of this amendment.

WSGR Wilson Sonsini Goodrich & Rosati
PROFESSIONAL CORPORATION

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Date: March 9, 2005

To: Examiner S. Devi, Ph.D. Fax: 703-872-9306

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on behalf of Albert P. Halluin Phone: 650-320-6914 Return Fax: 650-493-6811
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Message:

U.S. Patent Application No.: 09/393,590
Filed: September 9, 1999
Inventor(s): Elizabeth Moyer et al.
Title: Stable Liquid Formulations of Botulinum Toxin
Our Reference No.: 31242-701.201

Dear Examiner Devi:

Attached please find a courtesy copy of the Preliminary Amendment that we filed with the United States Patent and Trademark Office via Express Mail on March 9, 2005

Regards,
Queenie B. Ngo
Paralegal

Ref: 31242-701.201

Return Original to: Queenie B. Ngo

Location: FH 1/2

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PAGE 1/23 * RCVD AT 3/9/2005 9:42:43 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:650 493 6811 * DURATION (mm:ss):08:00

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FORM

(to be used for all correspondence after initial filing)

		Application Number	09/393,590
		Filing Date	September 9, 1999
		First Named Inventor	Elizabeth Moyer et al.
		Art Unit	1645
		Examiner Name	Devi, S. J. N.
Total Number of Pages in This Submission	24	Attorney Docket Number	31242-701.201

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Article titled, "Microbiological Methods" by Edward J. Schantz and Donald A. Kautter; Preliminary Opinion issued by the European Patent Office on; and return receipt postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

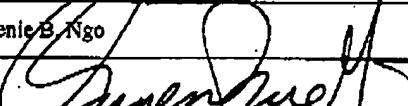
Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	Albert P. Halluin, Reg. No. 25,227, WILSON SONSINI GOODRICH & ROSATI
Signature	
Date	March 9, 2005

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Queenie B. Ngo	Date	March 9, 2005
Signature			

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